



12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

DARIUS PETTIT,

Defendant.

Case No. 18-MJ-2948

ORDER OF DETENTION

I.

On November 5, 2018, Defendant made his initial appearance in this district on the Indictment filed in the Southern District of Iowa in this matter. Deputy Federal Public Defender David Wasserman was appointed to represent Defendant.

☐ On motion of the Government [18 U.S.C. § 3142(f)(1)] in a case allegedly involving a narcotics or controlled substance offense with maximum sentence of ten or more years.

☒ On motion by the Government or on the Court's own motion [18 U.S.C. § 3142(f)(2)] in a case allegedly involving a serious risk that the defendant will flee.

The Court concludes that the Government is not entitled to a rebuttable presumption that no condition or combination of conditions will reasonably assure the defendant's appearance as required and the safety of any person or the community [18 U.S.C. § 3142(e)(2)].

II.

The Court finds that no condition or combination of conditions will reasonably assure: ☒ the appearance of the defendant as required.

☒ the safety of any person or the community.

the Court finds that the defendant has not rebutted the § 3142(e)(2) presumption by sufficient evidence to the contrary.

III.

The Court has considered: (a) the nature and circumstances of the offense(s) charged, including whether the offense is a crime of violence, a Federal crime of terrorism, or involves a minor victim or a controlled substance, firearm, explosive, or destructive device; (b) the weight of evidence against the defendant; (c) the history and characteristics of the defendant; and (d) the nature and seriousness of the danger to any person or the community. [18 U.S.C. § 3142(g)] The Court also considered all the evidence adduced at the hearing and the arguments, the

1 arguments of counsel, and the report and recommendation of the U.S. Pretrial  
2 Services Agency.

3 IV.

4 The Court bases its conclusions on the following:

5 As to risk of non-appearance:

- 6 ☒ Unverified background information
- 7 ☒ Insufficient bail resources

8  
9  
10 As to danger to the community:

- 11 ☒ Allegations in present charging document include felon in  
12 possession of a firearm
- 13 ☒ Criminal History includes probation violation in 2008, felony  
14 convictions for identity theft (2008), intimidation (2009), unlawful weapon use  
15 (2013) and assault (2018).
- 16 ☒ outstanding protective order issued 10-30-18

V.

IT IS THEREFORE ORDERED that the defendant be detained until trial. The defendant will be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant will be afforded reasonable opportunity for private consultation with counsel. On order of a Court of the United States or on request of any attorney for the Government, the person in charge of the corrections facility in which defendant is confined will deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

[18 U.S.C. § 3142(i)]

Dated: November 5, 2018

\_\_\_\_\_/s/\_\_\_\_\_  
HON. ALKA SAGAR  
UNITED STATES MAGISTRATE JUDGE